

UNITED STATES GOVERNMENT

# Memorandum

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**CONFIDENTIAL**

: Samuel N. Guida, Acting Regional Commissioner  
Social & Rehabilitation Services

FROM : Marlaina Kiner, Director *MK*  
Office for Civil Rights, Region X

SUBJECT: Idaho Title XIX Preprint Plan

DATE: February 27, 1974

The Idaho Department of Environmental and Community Services has submitted their revised Methods of Administration as required for the Title XIX Preprint Plan. This Office has reviewed the Methods of Administration and finds them acceptable at this time. However, the Office for Civil Rights requires that the following statement be included in all acceptances of State Plans.

Although the Statement of Compliance is presently considered acceptable, the implementing Methods of Administration submitted therewith will be subject to continuing assessment to determine their adequacy and effectiveness, in operation, in achieving full compliance with the Regulations. It may be necessary to request modification in, or additions to, these Methods from time to time.

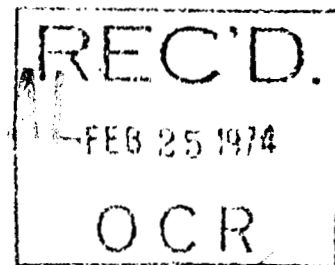
→ Please include this language in your letter of approval to the Idaho State Agency.

cc: Fred Scott

*Signature* *1/3* *1/8/74*  
*OK*



OFFICIAL



STATE OF IDAHO

DEPARTMENT OF ENVIRONMENTAL AND COMMUNITY SERVICES

BOISE

CECIL D. ANDRUS  
GOVERNOR

JAMES A. BAX  
ADMINISTRATOR

February 21, 1974

Ms. Marlaina Kiner  
Director, Office of Civil Rights  
Region X, Dept. of HEW  
M/S 137 Arcade Plaza Bldg.  
1321 Second Avenue  
Seattle, Washington 98101

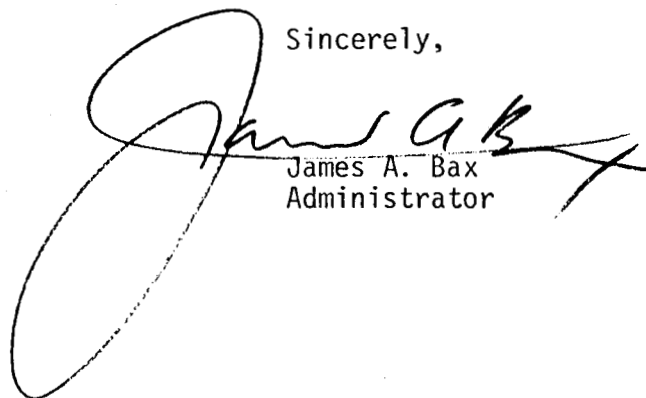
Dear Ms. Kiner:

In response to your letter of January 31, our Methods of Administration have been revised and are enclosed for your review.

In addition to responding to the deficiencies enumerated in your letter, we have revised the statement to cover our additional responsibilities for non-discrimination on the basis of religion and sex under state law and executive order.

If you have any questions about the Methods of Administration or if any additional changes are required, please notify Mary Ruth Mann, Affirmative Action Officer, immediately.

Sincerely,



James A. Bax  
Administrator

JAB/jhh/Adm

Enclosure

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STATE OF IDAHO  
DEPARTMENT OF ENVIRONMENTAL AND COMMUNITY SERVICES

Cecil D. Andrus  
Governor

Statehouse  
Boise, Idaho  
83720

OFFICE James A. Bax  
Administrator

METHODS OF ADMINISTRATION  
CIVIL RIGHTS COMPLIANCE PROGRAM

1. The entire staff of this Department, including the institutions under its control, will be informed of its obligations under Title VI of the Civil Rights Act of 1964, Idaho Executive Order 72-4 and related laws and regulations through the mechanism of the regular department-wide channel of communications, viz., the intradepartmental staff meeting report and training conferences. In addition, there will be periodic review of the obligations of the staff under Title VI of the Civil Rights Act of 1964 and Idaho Executive Order 72-4 and related laws and regulations through special communications from this office.
2. The Department will include on authorizations for service and purchase orders issued to other agencies and institutions, including vendors and contractors such as hospitals, physicians, physical therapists, etc., with whom the Department contracts to provide benefits to individuals a statement along the following lines:

"In accepting this authorization for provision of services (or purchase order) the vendor agrees to comply fully with Title VI of the Civil Rights Act of 1964, the Regulations of the Department of Health, Education and Welfare thereunder, Idaho Executive Order 72-4, and related laws and regulations, and to make no distinction

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on the grounds of race, color, national origin, religion or sex in providing services to individuals under this authorization."

3. The Department of Environmental and Community Services, in the development of their state plans will insure that the needs of protected groups are included in such plans. This will be accomplished by:

- a. Providing information to and consulting with organizations particularly concerned with the health and welfare problems of protected groups;
- b. Including representation of minorities and of both sexes on planning and advisory boards and inviting relevant group(s) to recommend individuals for appointment to boards which lack such representation;
- c. Taking into consideration distinctions based on race, color, national origin, religion and sex in availability of health and welfare services including effect of residential patterns on the provisions of services, identification of problems especially prevalent among minority and other protected groups, and utilization of facilities and services by such groups;
- d. Evaluating current health and welfare programs to determine the extent to which services are being provided to the groups described in No. 2 above, and the adequacy of such programs;
- e. The planning process of the Department currently includes the A-95 review system which assures that Indian tribes are advised of any proposal for new federal grant projects, since they are active members of the regional councils of governments.

The Department will seek to assure that other relevant protected groups are given similar opportunities for input in the proposal review process.

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4. The Department will inform clients, potential clients, and the general public of the fact that services and other benefits under these programs are provided on a nondiscriminatory basis, and of their right to file a complaint with State and/or Federal agencies, if they believe that discrimination on the basis of race, color, national origin, religion or sex is being practiced. To implement this the Department will:

- a. Issue a news release to press, radio, television and other news media announcing that "The Idaho Department of Environmental and Community Services has filed a Statement of Compliance with the U. S. Department of Health, Education and Welfare under Title VI of the Civil Rights Act of 1964, Idaho Executive Order 72-4 and related laws and regulations that all services and other benefits of the Idaho Department of Environmental and Community Services are provided on a nondiscriminatory basis, as required by Title VI of the Civil Rights Act, Idaho Executive Order 72-4 and related laws and regulations, and any person may file a complaint with the Department or with the U. S. Department of Health, Education and Welfare, or both, if they believe that discrimination on the grounds of race, color, national origin, religion or sex is being practiced."
- b. Include the statement "The Idaho Department of Environmental and Community Services has filed a Statement of Compliance with the U. S. Department of Health, Education, and Welfare under Title VI of the Civil Rights Act of 1964 that 'all

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services and other benefits of the Idaho Department of Environmental and Community Services are provided on a nondiscriminatory basis, as required by Title VI of the Civil Rights Act, Idaho Executive Order 72-4 and related laws and regulations, and any person may file a complaint with this Department or with the U. S. Department of Health, Education and Welfare, or both, if they believe that discrimination on the grounds of race, color, national origin, religion or sex is being practiced" on all public notices, informational statements, brochures, etc., about services or benefits provided by the Department of Health, Education and Welfare grant-aided programs issued to the public, professional health groups, vendors of services, employees, contractors, sub-grantees, local political subdivisions, other agencies and institutions.

- c. Post notices or placards printed in prominent type containing the statement that "services and other benefits of the Idaho Department of Environmental and Community Services are provided on a nondiscriminatory basis with respect to race, color, national origin, religion or sex as required by Title VI of the Civil Rights Act, Idaho Executive Order 72-4 and related laws and regulations and any person should contact and may file a complaint with this Department, or with the U. S. Department of Health, Education and Welfare or both, if they believe that discrimination on the grounds of race, color, national origin, religion or sex is being practiced", in a conspicuous place in the public reception areas of the offices and facilities of the Department.

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5. The Department will receive and evaluate such complaints as may be received, take prompt corrective action as may be necessary to correct discriminatory practices found to exist as a result of such complaints, and keep the appropriate Federal agency informed regarding the disposition of complaints. The methods and procedures for handling complaints will be as follows:

All complaints shall be submitted to the Administrator of the Department of Environmental and Community Services in writing; investigation and evaluation of a complaint will be carried out by a staff member designated by the Administrator of the Department of Environmental and Community Services; a report of the investigation will be made in writing; the Administrator will review the report and any other pertinent data and make a determination as to the validity of the complaint, and if indicated, take necessary action to correct any discriminatory practice found to exist; advise the complainant in writing as to the disposition of the matter; maintain a complete record of each complaint, the report of the investigation, and the disposition of the complaint, and make the record available to appropriate Federal Compliance agencies.

6. The Department will keep records on the sex and ethnicity of all staff and clients for statistical purposes and shall review such records periodically to evaluate possible discrimination in provision of services and in employment practices. Such statistical information shall be made available to appropriate compliance authorities upon request. The collection and maintenance of data shall be as follows:

- a. Staff data is available by category and geographic region on the EEO-4 report and subsequent updates to be provided by the Idaho Personnel Commission.

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- b. Data concerning clients on assistance payrolls is currently available by geographic area and programed within the existing Departmental data information system.
- c. Data on non-payroll clients is not currently maintained. This information requirement is built into the services information system projected for implementation July 1, 1974. At such time, all current clients will be programed onto the system and statistical information on all client services will become available. Reports of this information will be reviewed periodically by appropriate program authorities. Such reports will be available to Federal compliance authorities upon request.
7. The Department will not participate in any training or employment programs which discriminate on any of the bases outlined in #2 above or on the basis of age (as specified in the Idaho Age Discrimination Act and the Federal Age Discrimination Employment Act of 1967.) Career development in departmental positions is the subject of an Intergovernmental Personnel Act project between the Department and the Idaho Personnel Commission designed to develop career ladders, perform job analysis, revise present classifications, develop appropriate testing techniques, validate those techniques and develop career related training at all levels. These career development positions are covered by the State Merit System. Any employment and training positions not governed by the merit system will be reviewed in advance and periodically for possible discriminatory impact on protected groups.
8. There will be regular and continuous review of practices within the Department in the course of normal supervision and direction of Department activities by the Administrator of the Department of Environmental

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and Community Services, program directors and other supervisory staff members to assure that practices within the Department are in conformity with the regulations. At least yearly, and more frequently if indicated, supervisory and consultant staff members of the Department will, in the course of regular or special visits to other agencies and institutions, including vendors and contractors, organization and political subdivisions which provide services or benefits under the Department of Health, Education and Welfare grant-aided programs, review and observe the practices within these agencies to assure that they are in conformity with the regulations.

9. There are no programs of this Department at this time which are not in compliance with the regulations.

Date: *Feb 22, 1974*

IDAHO DEPARTMENT OF ENVIRONMENTAL  
AND COMMUNITY SERVICES

*[Signature]*  
James A. Bax,  
Administrator

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*James A. Bax 4/19/74*

OFFICIAL

January 30, 1974

(206) 442-7483

Office for Civil Rights

Dr. James A. Bax  
State Department of  
Environmental & Community Services  
Statehouse  
Boise, Idaho 83701

Dear Dr. Bax:

We have reviewed the Methods of Administration you submitted January 9, 1974. What you have developed as Methods of Administration comply with most of the regulations; however, some critical areas have not been included. In order for your Methods of Administration to be acceptable it is recommended that you incorporate the following three items.

1. Minority Participation on Planning and/or Advisory Boards

Describe the method for assuring that minorities will have the opportunity to participate on the various planning and/or advisory boards of the Department [45CFR 80.3 (b) (vii)].

2. Collecting and Maintaining Racial Data

Describe the method for collecting and maintaining racial data [45CFR 80.6 (b)] and making such data available to the Office for Civil Rights [45CFR 80.6 (c)].

3. Employment and Training

Describe the method for assuring that employment and training positions, supported by Federal funds, will be available to minorities [45CFR 80.3 (c)].

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